

FINAL REPORT:
CULTURAL RESOURCE ASSESSMENT OF THE LAKE WHATCOM WATERSHED

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CULTURAL RESOURCES IN THE LAKE WHATCOM WATERSHED

Introduction

This document addresses cultural resources within the Lake Whatcom Watershed Planning Unit. The unit includes the Lake Whatcom watershed and some areas outside the watershed that are owned by the State of Washington and managed by the Washington State Department of Natural Resources.

Cultural resource properties range from archaeological sites to sites where legendary events occurred to sites where modern traditionalist practitioners gather medicinal roots and herbs. The Lake Whatcom Watershed Cultural Resource Assessment will consist of three phases in compliance with general cultural resource management process:

- In the Identification phase an attempt is made to identify and, where possible, map all known state recorded and tribally recorded cultural resources within the landscape. The historic, ethnographic and prehistoric setting is described as past archaeological activities.
- In the Evaluation phase the database is evaluated for gaps and the status of known historic properties in the landscape vis-à-vis the National Register of Historic Places are examined.
- In the Protection phase, the condition of the cultural resources in the landscape is examined and laws, regulations and policies will be examined to see how the known and unknown resources of the watershed can be protected.

Identification

The universe of cultural resource properties is large and diverse. A partial listing of cultural resources is presented in Table 1. This Table also indicates whether such properties are currently being used and which will be used in the future. These cultural resources include archaeological and historical sites as well as those cultural resources of concern identified by the Lummi Nation. More information on these resources is given in Table 5 (Matrix). Although the Nooksack Tribe has noted areas of cultural interest in the watershed, due to limited resources the Tribe declined to participate in this cultural assessment. Therefore, the assessment does not attempt to address specific areas of cultural interest to the Nooksack Tribe.

Table 1. Cultural Resource Types in the Lake Whatcom Watershed

Property Type	Historic (H) or Current and Expected Future Use (C)
Archaeological Sites—further divisible into prehistoric, protohistoric, and or historic	H
Historic Buildings	H/C
Culturally Modified Trees (CMTs)	H/C
Traditional Named Places	H/C
Hunting and Gathering Sites	H/C
Ceremonial flora/medicine sites	H/C
Ritual Bathing Sites	H/C
Gear storage sites	H/C
Caves	H/C
Burials—further divisible into cairns and tree burials	H/C
Trails	H/C
Petroglyphs	H/C
Spirit quest sites	H/C
Totems/Canoes	H
Old Growth	H/C
Wildlife	H/C
Fish	H/C
Shipwrecks	H

Traditional Named Places, Legendary Sites, Ritual Bathing Sites, and Spirit Quest Sites are known as Traditional Cultural Properties (TCP). These are sites or localities that are important in maintaining the culture of a group or tribe. These property types are not mutually exclusive. For example, a legendary site, which has also been used for gathering medicinal herbs and which also may show ancient manifestations of that gathering may therefore also be an archaeological site.

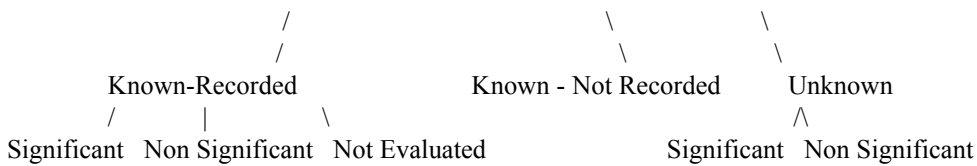
To a certain extent, there are institutional and individual information restrictions on all these property types. Locations of archaeological sites are exempt from Freedom of Information Act in accordance with 36 CFR Part 79 and from public inspection and copying under RCW 42.17.310(1)(k). In addition, many of these sites are related to past, present and future Native American spirituality and religious practices. Among many Native American groups these were and are the most intensely personal and private matters imaginable. Therefore, there is understandable reluctance among the Tribes and Nations to share the locations of these sites and information on activities that occur there.

However, this reluctance to reveal locations makes protection of the resource extremely difficult. There is a tension between a land manager's needs for specificity of site location and tribal member's needs for secrecy. A mechanism for dealing with this tension will be presented in the Protection Phase of this document.

Cultural resources are divisible into many groups. One possible division is into those properties that are known (they are within current individual or collective human consciousness), and those properties that are not. Another initial division can be between those that are recorded and those that are not. Yet another division is into those properties that are Significant, Not Significant and Not Evaluated. Dividing them in these ways creates groupings illustrated in Figure 1.

Figure 1.

Universe of Cultural Resource Properties-----



Known State Recorded

For purposes of this discussion, state recorded means listed on the Washington State Inventory of Historic Places. Obviously, only known cultural resource sites can be recorded, therefore there are no unknown recorded sites.

Known Tribally Recorded

The Lummi Nation and the Nooksack Indian Tribe maintain an extensive listing of cultural resource properties within ceded lands and usual and accustomed areas. Tribal policy is to not share this information. Since these sites are not listed on the Washington State Inventory of Historic Places, they are considered not recorded for state land management purposes. Obviously, only known cultural resource sites can be recorded, therefore there are no unknown tribally recorded sites.

Known Not Recorded

Many cultural resource sites are known but are not recorded. A landowner, land manager or tribe may have knowledge of an archaeological site. There are many reasons why a known property might not be recorded. These reasons may be personal or institutional. For example, lack of time, personnel, interest, knowledge of the process, etc. might prevent a land manager from filling out site forms. In addition, many kinds of cultural resources, such as vision quest sites, ceremonial bathing and gear storage sites, plant gathering sites etc. are known only by individual practitioners or small groups of practitioners. Generally, the locations of these sites and the activities that go on there are considered of an extremely personal and private nature.

Unknown Unrecorded

Obviously, unknown properties cannot be recorded, so this category includes properties that have a physical presence, i.e. properties such as archaeological sites and culturally modified trees (CMTs). These may be identified through physical inspection of the land. Properties important because of a spiritual significance to a living community are known to that community and would fall under the Known Unrecorded category.

A sub-category of this group is Undiscovered properties. These are properties whose locations or existence are generally known, but where additional fieldwork is necessary to confirm their location or existence.

Significance

Another important division of cultural resources is based on significance. Properties can be Significant, Non Significant, or Unevaluated. Since the evaluation process involves listing in the Washington Inventory of Historic Places and the National Register process, all Known Unrecorded and Unknown sites are unevaluated and the term only has meaning when applied to state recorded sites.

A historic property can be of intense significance to an individual or small groups of individuals. However, for

the purpose of this discussion (and in cultural resource management generally) significance is defined as inclusion on the National Register of Historic Places (NRHP), eligibility to be on the NRHP, or potential eligibility to be on the NRHP. Although state and local registers do exist, the NRHP is the standard in cultural resource management (CRM). This is important, because legally, only significant properties are protected under state and federal law. Significance is measured against specific federal criteria for inclusion on the NRHP.

There are four NRHP criteria-- A through D:

Criterion A- Properties that are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B-- Properties that are associated with the lives of persons significant in our past.

Criterion C-- Properties that embody the distinctive characteristics of a type period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D -- Properties that have yielded, or may be likely to yield, information important in prehistory or history.

There are significant properties (on or eligible to be on the NRHP), non-significant properties (determined to be not eligible to the NRHP) and non-evaluated properties (properties not yet evaluated against the NRHP criteria). The final judge of a property's significance is the Keeper of the NRHP.

Unknown properties or known unrecorded properties can be significant properties (on or eligible to be on the NRHP), non-significant properties (determined to be not eligible to the NRHP). All unknown properties are unevaluated. Unknown properties and unrecorded properties can be significant and thus protected under state and federal law. The significance of a property can only be determined if it is identified, recorded, and evaluated.

Properties important because of their spirituality must have definable physical boundaries to be evaluated under NRHP criteria and listed on the NRHP.

Prehistory

Most archaeology in the area is based on models developed by Borden in the 1950-70s based on his work on the Fraser River. Onat (1987) developed a development sequence for northern Puget Sound:

Generalized Resource Development—Post-Glacial Settlement 13,000 B.P. – 6,000 B.P.

There is little evidence for sites of this period. The sites thought to date from this period are located more than 100 feet above the present sea level and/ or considerably inland from modern shorelines usually on terraces up river systems. These sites are fairly diffuse, rest directly above glacial debris, and are characterized by leaf shaped projectile points/knives and cobble core tools predominately of basalt. Features are rare although a few fire features and stake molds have been found. Faunal remains are generally absent.

Specialized Resource Management—Established Coast Salish 2,500 B.P. – 250 B.P.

Most sites recorded and excavated in the region are from this period. Archaeological remains from this period demonstrate the “full-scale development of the maritime oriented cultures known from the ethnographic record. A full range of sites, from large winter village sites to small resource procurement sites are found. The faunal materials show predominate use of riverine and marine resources. For example, shell middens are common. Inland sites reflect a land mammal hunting and upriver fishing tradition.

Cultural Conflict—Euro-American Contact
250 B.P. – 150 B.P.

Sites from this period are rare and the time period is poorly documented. Trade goods are additions to the sites in the previous period.

There is only a single prehistoric site in the Lake Whatcom watershed recorded with the state Office of Archaeology and Historic Preservation. This is 45-WH-88, also known as the Lake Whatcom Petroglyph. This is located on the south side of the Lake. Currently, there are two figures contained into the petroglyph at the site, one a circle, the other a stylized human face. In this isolated case, one ceremonial ritual associated is the *Ye’bi’biqw* ceremony. In addition, the series of petroglyphs within this area portray legendary, ritual, spiritual and customary practice and beliefs associated with the petroglyphs and the adjacent areas. There was another associated petroglyph that was removed and displaced due to land-use development within the last four (+) decades.

Ethnographic

Historically, the Xwlemi (Lummi), Hatch-o’mish, Nu’qwa’cha’mish, Dwa’ah’ha, and Nooksack Peoples used the Lake Whatcom, adjacent lands, and the whole watershed in many ways.

Table 2 lists plant resources used by the Lummi people, some or all of which were gathered in the Lake Whatcom planning area.

Table 2. Traditional Plants of the Lummi People in the Lake Whatcom Planning Area

Latin Name	Xwlemi-Snat	Common Name
Rubus Ursinus	Skel-nel-wesh	Blackberry
Pteridium Aquilinun	Skwe-xwen	Bracken Fern
	Ske xwen	Break Fern
Opuntia Fragilis	Ts’a ta	Cactus (Prickly Pear)
Camassia Quamash	Whe lhol	Camas
Daucus Carota	Sha wek	Wild Indian carrot
Typha latifolia	Ts’ a xen	Cattail
Empetrum nigrum	Ma e chen	Crowberry
Sambucas racemosa	Ts’ wek	Elderberry
Equisetum telmatiea	Ma qwh	Horsetail (equisetum)
	Skwa ken	Flower
Loniceri ciliosa	Kat kat elsh	Honeysuckle
Vaccinium membranaceum	Spi xw	Huckleberry
	Sxwas sem	Indian ice cream
	Ket chi	Lichens
Ploypodium glycyrrhiza	Kel sip	Licorice Fern
	Mek tel es	Liverworts (Mosses)

	Tse ts'ex	Nettles (Stinging)
	Seni'	Oregon grape
<i>Lathyrus japonicus</i>	Tl' I kwen	Peas, Wild
<i>Rubus leucodermis</i>	T' e kwen	Red raspberry
<i>Lolium perenne</i>	Pe shy'	Rye grass (Wild)
<i>Gaultheria shallon</i>	T' aka	Salal
<i>Rubus leucodermis</i>	E li le	Salmonberry
<i>Lysichiton americanum</i>	Ts' o kwi	Skunk cabbage
<i>Symphoricarpos albus</i>	Pe pi yes	Snowberry
	Stel he yes	Spanish moss
	Sas ki	Sprouts
<i>Polystichum munitum</i>	Lel lek I	Sword Fern
<i>Rubus parviflorus</i>	T' e qwen	Thimbleberry
<i>Scirpus lacustris</i>	Skwel el	Tule (round)
	Xem xem	Water sprout
	Yo'le	Wild celery
<i>Allium acuminatum</i>	Swel nit sh	Wild onion
<i>Rosa nutkana</i>	Kel q' el	Wild rose
<i>Fragaria chiloensis</i>	Ti' leg	Wild strawberry
<i>Achillea millefolium</i>	Pel e' kwetsh	Yarrow

There are Known-Traditional name Places and Tribal Oral Tradition history and tribally recorded battlefield sites, petroglyphs, trails, culturally modified trees, bathing sites, fishing sites and burial sites around the Lake. These cultural resource types indicate a long and varied use of the Lake Whatcom planning area by the Lummi Nation and the Nooksack Tribe through time.

The Nooksack took land-locked freshwater coho salmon from Lake Whatcom. They also collected freshwater mussel there (Tom Edwards, personal communication). There are two sites named Xachwa'amex on Lake Whatcom listed in Hollenbeck (Richardson in Hollenbeck 1987:118). The first is described as a village site and camp site near the town of Park. The second is described as a fishing site was located on Lake Whatcom where freshwater coho and a small variety of silver salmon were fished. Many beaver were also hunted here.

According to a map by Jeffcott, the Nooksack had a trail that ran from the South Fork of the Nooksack, past the village of Xachwa'amex, skirted the eastern shore of Lake Samish, and ended at the mouth of Whatcom Creek (Jeffcot in Tremaine, 1975:45).

The probability of Native American archaeological sites being found on the shores of Lake Whatcom is indicated by Koert and Biery: "The first residents of the Charles Hildebrand homestead were Indians. Hildebrand came in 1882, the township was surveyed in 1883. Mrs. Hildebrand was the first white woman to have a home on the lake (Koert and Biery. Vol II, 1980:74). The Hildebrand homestead was on the western side of the lake southwest of Reveille Island. Also, Luttrell (1992:13) mentions "the discovery of cultural artifacts near the southern outlet of the lake and at the mouth of Olsen Creek on Agate Bay." He states that the "lake vicinity was probably occupied at various times by the Lummi, the *Neuk-wers* of the Stick Samish, and the Nooksack."

History

Xwlemi, nexw, translates, “People of the Lummi,” who from time immemorial have drawn upon areas within the *Ske’lot’ses*, traditional territory of their ancestors. The *Ska’la’agen Sto’sto’lo*, historically a tributary at the lower flatlands of the Nooksack River, connected to Lake Whatcom and was inhabited by a legendary Water Being called *tsi’lht’lhs*, associated with the salmon. Additionally, trails and water passageways were also commonly used by the ancestors. These trails and other water passageways facilitated the gathering, collection, harvesting, and hunting of native game animals, birds, salmon, plants, medicines, berries, and other resources.

The Lummi “Xwlemi” have significant traditional, spiritual, cultural and historic ties with all of the lakes, streams, and tributaries throughout this watershed, prior to and after contact with Euro-Americans. Most lakes and tributaries in the watershed have Lummi traditional name places and most eventually about a legendary area itself. These traditional name places often describe the usage of natural resources and other related properties. For example, shoreline harvesting activities of shellfish, salmon and other marine life, has always been connected by water passageways, or by trails, as a means to pass on the tribe’s traditional social-economic and subsistence practices through trade and exchange of resources. These exchange activities have, throughout history, been practiced by and between the various villages and the many affined tribal or family groups.

Harvest of these resources also provided the ritualistic and social gathering context during the ceremonies or rituals practiced at various sites or areas. Inland passageways from saltwater to mountains for the hunting of certain wild game such as *Swi’li* (Mountain Goat) were enhanced by stop-overs at areas such as Lake Whatcom, which was commonly used as a stopping or resting place--either to ritualistically or ceremonially respect the hunting activity itself or to spiritually prepare oneself in an isolated atmosphere and to keep the hunt safe.

The Lummi acknowledged and celebrated the Salmon species such as *Qwo’loxw* (Dog Salmon) and *Q’echq’s* (coho), *Se’ki* (Sockeye) through salmon ceremonies and affiliated traditions or customary practices within their broader religious belief systems. Lake Whatcom, as such, has its own legendary sites or areas. Adjacent to such areas there were at times differences between the affined or family groups and the associated resources. Unfortunately, battles were fought over the group’s differences and left many deceased.

During the post-contact era as the Oregon Territory was divided in half to become the Washington Territory, the Fraser Gold Rush began to introduce new settlement among the Lake Whatcom area. Often, the new homesteaders came across or witnessed tangible evidence left by the ancestors. Friendly relations existed between the early tribal members and homesteaders.

Lake Whatcom was first explored by Euro-Americans (a Mr. Kelly) in 1852 and 1853. There was a Euro-American presence at the Lake during the Fraser River gold rush. In 1860 a party consisting of Frederick Lane, John Tennant, John Bennett, William Wood and George Cagey set off to explore the south fork of the Nooksack passing by Lake Whatcom on the way. Frederick Lane kept a diary of the journey. On Thursday, August 23, 1860, he mentions a deserted house “built during the (gold) excitement of 1858 which afforded us shelter during the night, which was wet and rainy (Lane in Jeffcott, 1949:246).” This must have been in the northern portion of the Lake, as the party crossed the Lake early the next morning.

The Government Land Office (GLO) notes and maps, from the 1870s and 1880s, document homesteads in the Lake Whatcom watershed-planning unit. Table 3 presents a partial listing of the homesteads (those that are present on the GLO maps). The information given is for the structures depicted on the maps. The spelling of the names also is from the maps and may vary even for members of a larger extended family.

Table 3. Homesteads in the Planning Unit.

Name	Tn.	R.	S	Additional Information
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Harvey	38N	3E	22	SW ¼, NW ¼, ¼
Thomas Armstrong	38N	3E	26	SE ¼, near lakeshore
Olsen	38N	4E	30	SW ¼, northwest of mouth of Olsen Creek
Molatta	38N	4E	32	NW ¼, NW ¼, ¼
T. J. Smith	38N	4E	32	SE ¼, south of mouth of Smith Creek
S. Stone	38N	4E	33/34	SE ¼ S. 33, SW ¼ S.34 (on section line)
H. Austin	37N	4E	5	SW ¼, NE ¼, ¼ near lakeshore
J.B. Williams	37N	4E	7	NE ¼, NE ¼
T. C. Austen	37N	4E	8	N ½, on ¼ section line southwest of Austen Bay
Hildebrand	37N	4E	8	SE ¼, SE ¼, ¼
N. Lesrrelus	37N	4E	20	SE ¼, SE ¼, ¼
Rogers	37N	4E	21	SE ¼, NE ¼, ¼ near lakeshore
Praestlins	37N	4E	23	NW ¼, SW ¼, ¼
I. Praestlins	37N	4E	23	SW ¼, SW ¼, ¼ near lakeshore
J.P. Praestlins	37N	4E	23	SE ¼, SW ¼, ¼
H.M. Parks	37N	4E	24	NW ¼, NW ¼, ¼
Prastlin	37N	4E	26	NE ¼, NW ¼, ¼
M. Anderson	37N	4E	26	NW ¼, NW ¼, ¼ near lakeshore
A. Anderson	37N	4E	27	NE ¼, SE ¼, ¼ near lakeshore
Rodgers	37N	4E	27	NE ¼ near ¼ section line and lakeshore
C.J. Cramer	37N	4E	27	SW ¼, NW ¼, ¼
Van Chipman	37N	4E	28	NE ¼, SE ¼, ¼
G.W. Brown	37N	4E	28	SE ¼, SE ¼, ¼
Nesselroad	37N	4E	28	NW ¼, NW ¼, ¼
C. Brownfield	37N	4E	29	NE ¼, NE ¼, ¼
Sweeny	37N	4E	33	NW ¼, SW ¼, ¼
W. Chipman	37N	4E	33	SW ¼, NW ¼, ¼
W.B. Chipman	37N	4E	33	NE ¼, NE ¼, ¼
L. Wyberg	37N	4E	33	SE ¼, NE ¼, ¼
C.J. Johnson	37N	4E	34	NW ¼, NW ¼, ¼
N. Sweeny's	37N	4E	34	SW ¼, NW ¼, ¼
Johnson	37N	4E	34	NE ¼, NW ¼, ¼
C.M. Parks	37N	4E	34	NE ¼, NE ¼, ¼
T.J. Lyon	37N	4E	35	NW ¼, NW ¼, ¼

The subsequent history of Euro-American use of Lake Whatcom includes resource extraction, manufacture, residential use, entertainment and transportation.

The main extractive industries included coal mining and logging. Hard coal was discovered near the south end of Lake Whatcom in May of 1885. James Wardner bought the claim in 1890. In 1891 a group of Montana millionaires including J. H. Bloedel, J.J. Donovan and C.W. Carter bought and opened the mine, Blue Canyon, thus named because of the smoke like haze hanging over the property. J.J. Donovan funded the project and helped with the rail connections for transporting the coal. There was an 800-foot trestle with 400 feet of track. Coal cars ran by gravity from the mountainside down to coalbunkers near the lakeshore where the coal was stored.

The GLO maps show the coal dump for the Blue Canyon mine in the NW ¼, NE ¼, ¼ of Section 22, Township 37N, Range 4E.

Coal was loaded onto barges on the lake. The steamer “Ella” pulled the barges to Silver Beach where it was transferred to wagons and later to streetcars for its trip to Bellingham Bay. In 1891 the Bellingham Bay & Eastern Railroad was built to facilitate coal movement to Bellingham Bay.

An explosion in 1895 killed 23 miners at the mine, one of the most serious mining accidents in Washington history. The miners were buried in Bayview Cemetery. The mine was not wildly successful and its owners turned to logging, and the mine was abandoned in 1920. The coalbunkers burned in July 1920 (Koert and Biery.1980:48-51).

There were other attempts at mining in the Blue Canyon area including the Occidental Development Company and the Rocky Ridge Mine 1920 (Koert and Biery.1980:48-49).

Logging

Logging in the Lake Whatcom watershed started in second half of the 1800s. Julius Bloedel and J.J. Donovan, along with Peter Larson, organized the Lake Whatcom Logging Company in 1898. The existence of the Bellingham Bay & Eastern Railroad facilitated the logging of the more isolated eastern shore of the Lake (Luttrell 1992). The first logging railroad on Lake Whatcom was built in 1896. It ran north out of Woodlawn for three miles (Koert and Biery. Vol. II, 1982:75).

By 1919, the timber around Lake Whatcom was “depleted.” The Larson and Lake Whatcom logging companies, which had combined to form Bloedel-Donovan, bought timber in the South Fork Nooksack drainage and laid more than 50 miles of track to Park “where the logs were dumped into Lake Whatcom to supply the two mills on the lake, (Koert and Biery. Vol. II, 1980:127).

Manufacture

Peter Larson built the first sawmill at the Lake’s outlet by in 1901 and a second mill was built in the same area in 1906. There were two mills at Geneva and seven at Silver Beach.

By the early 1900s, mills on Lake Whatcom were producing up to 250,000 feet of lumber a day and were employing up to 140 men. Large mounds of sawdust produced by these mills was dumped into the Lake at its outlet, actually raised the level of the Lake. Most of the mills on Lake Whatcom were closed by the end of WWII. In 1948 12.5 acres of the land that had served as the port for the coal barges of the Blue Canyon mine and were later part of the Larson sawmill site became the Bloedel Donovan Park.

Residential

The earliest homesteads were established in the 1870s and 1880s (GLO notes). Small rural communities developed between Agate Bay and Sunnyside, including these two towns plus Woodlawn. These were largely gone by 1950. There was a school at Sunnyside between 1891

and 1940. The structure was demolished in the 1940s (Koert and Biery. Vol II, 1980:76; Luttrell 1992).

Residential areas sprouted around the mills and mines. Geneva grew up around the Geneva Lumber Company mills in 1887. By 1903 Geneva consisted of a hotel, park, “Grand Boulevard” sawmill, shingle mill, and

residences, mostly of people employed by Geneva Lumber and Bellingham Lumber companies. There was a postmaster and daily mail service.

Silver Beach was founded after 1887 and was connected to Whatcom (Bellingham) by the Bellingham Bay and Eastern Railroad and to Fairhaven by electric cars. The electric car connection enabled Silver Beach residents to commute to Whatcom and Fairhaven. There was one sawmill and six shingle mills that included Lake Shingle Company, Silver Beach Shingle, Upright Shingle Mill, Hastings Shingle Manufacturing Company LTD. Additional employers at Silver Beach included Lake Whatcom Logging Company, Larson Lumber Company. There was a summer resort, the Silver Beach Hotel, a saloon, and a boat builder and boathouse. Three boats ran to Park. There was a post office and postmaster.

On the southern end of the Lake was Blue Canyon and Park. Blue Canyon was first settled in 1880 (Koert and Biery, Vol. II, 1982:63).” There were several coal mines in the area. By 1903, Blue Canyon consisted of a boarding house, general merchandise store, a hotel and school (torn down by 1906) post office, dock, the coal dump for the mines and residences. There was telephone service and a stage to Wickersham that connected with the Northern Pacific. Most people in Blue Canyon worked at the mine or at Lake Whatcom Logging Company.

Park Community, at the southeast end of the Lake, consisted of a schoolhouse, church, and later on a combination general store and town hall. The store and post office were in Park by 1884 (Koert and Biery, Vol. II, 1982:74). The Bellingham Bay & Eastern Railroad ran through Park.

Recreation

In 1906 C.H. Chandler, a Pittsburgh investor, took a small amusement park at Silver Beach and turned it into a major recreational facility. Before Chandler, the White City Amusement Park operated flying swings and shoot-the-chutes part time. Soon, White City had a 75 foot tall ferris wheel, merry-go-round, and a huge roller coaster. There was also an Enchanted Castle, Katzenjammer House, Cave of the Winds, Bump the Bumps, Old Mill, Crystal Maze, Laughing gallery, a Dance Pavilion, and many other entertainments. The Silver Beach Hotel, constructed in 1892 by Jones and Carlyon, became the center of the White City Amusement Park (Koert and Biery, 1980: 104). In 1915, a devastating fire destroyed a major portion of White City and it ceased operation in 1919, the hotel was torn down, the roller coaster taken apart. Only the dance hall survived (Koert and Biery, 1982:69-72).

The Lake Whatcom Motorboat Club organized and built a clubhouse at Watkins Point in 1909. The structure burned in 1919 (Koert and Biery, Vol. II, 1982:76).

Transportation

As in most of the Pacific Northwest, most early travel and transportation in the Lake Whatcom watershed was by boat. “Every homestead on the lake had a dock where the steamboats could unload as they made the rounds of the lake every day (Frank Mason in Koert and Biery, 1982:69-72).” Table 4 presents information on some of these early vessels.

Table 4. Early Vessels in Lake Whatcom Planning Area

Name/Renamed	Comments
Belleana	Sailboat
Geneva	Gas Powered

Ramona	Gas Powered
Rose/Emma D.	First Steamboat built on Lake Whatcom 1890, used for freight and passengers
Mike Anderson	Large Sternwheeler
Edith	Sternwheeler
Reggie	burned in 1903. Associated with Silver Beach
The Cora Blake	burned. The hull was towed to Geneva Mill where “it sank to the bottom (Koert and Biery, Vol. II, 1982: 76).”
The Owl	chartered by picnic parties
The White Swan	sank in 1901 at Crescent Dock near Olsen Creek. “The hull, after seventy years, is still at the bottom in from of Bud Dehon’s place which is a quarter of a mile beyond Olson Creek, (Koert and Biery, Vol. II, 1982: 75).”
Ella/Prentice	built on the lake at Blue Canyon coal mine. The <i>Ella</i> was a tug that pulled coal cars on scows between Blue Canyon and Silver Beach
Charlotte	took the place of the Ella
Thistle/Adelaide	Associated with Silver Beach
Comet	Lost in a storm in 1924
Marguerite	In 1906 Captain Hector Gawley moved the ship <i>Marguerite</i> to Lake Whatcom. The <i>Marguerite</i> ran up to 150 passengers and freight to the Blue Canyon mine. It made 3 round trips daily between Silver Beach and Park. The <i>Marguerite</i> was lost in a storm in 1924.

There was a mail boat to the post office at Park between 1906 and 1911. After 1911 the post office moved to Silver Beach (Koert and Biery, Vol. II, 1982:76).

Historic land transportation in the planning area started in the summer of 1877 when Daniel Harris grubbed and graded the road from Sehome to Lake Whatcom (Koert and Biery, 1982:10).

In 1891, J.J. Donovan built the Bellingham Bay and Eastern Railroad to move coal from the Blue Canyon mine to Bellingham. In 1901 the line was extended around the east shore of Lake Whatcom to connect with the Northern Pacific at Wickersham. Two miles of this line was originally built to harvest a timber claim (Koert and Biery, 1982:124). The Northern Pacific Railroad purchased the line in 1903 (Luttrell 1992:12).

Hourly streetcars ran between Silver Beach and White City and Whatcom. There was a “Y” at Silver Beach where the streetcars turned around (Koert and Biery, Vol. II, 1982:72).

Known Historic Structures-- OAHF

The only recorded sites are the rail bed of the Bellingham Bay and Eastern (BB&E) Railroad and the Park Store/Town Hall. The store is described as a two floor rectangular building with a western-style “boomtown” front façade. Apparently built in 1929, it is described as “the only building that remains from the early mining and lumber days in the Park and Blue Canyon area. Although the building was built after the area’s heyday, it still was an integral part of a once thriving community (Sullivan, n.d.).

Evaluation

There is a considerable amount of evidence that the Lake Whatcom Watershed should have prehistoric, historic, ethnographic, and current use areas of interest. The majority of the prehistoric and historic materials are near the lakeshore. Luttrell’s analysis of the potential of cultural resource sites along the BPA Transmission Line on the eastern side of the Lake is: “Areas...with the highest potential for unrecorded cultural resources appear to be located in the vicinity of the corridor’s closest proximity to Lake Whatcom. The potential for the presence of both prehistoric procurement sites and historic

structures/features related to early development of the area appears moderate (Luttrell 1992:13).” Considering the entire lake shoreline, the potential seems high. However, inland prehistoric and historic properties as well as current use areas occur in the records and should be found in the planning area.

No cultural resource in the planning area has been evaluated for inclusion on the National Register of Historic Places.

Data Gaps

The lack of prehistoric and historic sites in the Lake Whatcom watershed is not surprising. Only one cultural resource survey has been completed within the boundaries of the planning area. A cultural resource survey was done in 1991 of 138 acres of DNR’s Lake Louise Natural Resources Conservation Area (NRCA). The NRCA survey interval was 50 meters and located old skid roads and an old railroad bed (Robinson and Rice 1992).

Problems with past archaeological interpretations of the area’s developmental sequence are related to insufficient considerations of the implications of post Pleistocene sea level fluctuation, artifact survival, and the complexity of the ethnographically known sub regional economic specialization. Post Pleistocene sea level rise caused a corresponding rise in the level of Lake Whatcom. This rise, in conjunction with the lake level rise caused by the sawdust dumping at Silver Beach would have resulted in the submergence of prehistoric and historic cultural resources located along the lakeshore. Wet sites, where normally perishable objects of wood and fiber can be found, may be found in these areas. No work has been done on shipwrecks in Lake Whatcom.

The cultural resource data gaps in the planning area are enormous. Only one small survey has been conducted. There is no information on underwater archaeological sites. Data of the Lummi Nation and Nooksack Tribe cannot be considered exhaustive as individual tribal members may choose not to identify sites to the tribal government or to any outside entity.

Protection

Cultural resources need protection from the effects of individual actions and activities, and also from the cumulative effects of a myriad of individual actions and activities. For example, a single act or activity might not be sufficient to destroy the integrity and functionality of a tribal spiritual site, but a series of such events might destroy an area’s ability to serve important functions. In addition, it should be a goal to provide long-term protection for these resources.

Appendix A contains most of the important cultural resource laws pertinent to the planning area. These include Federal Laws and Treaties, State laws, Regulations, and DNR Policies. The applicability of the National Historic Preservation Act to the planning unit is unclear. However, the planning area is covered under DNR’s Habitat Conservation Plan (HCP). A condition of the federal license issued under the HCP is the establishment of a cultural resource program that would “identify and inventory historic and archaeological sites and protect them at a level which, at a minimum, meets regulatory requirements (Department of Natural Resources, Draft Environmental Impact Statement, Habitat Conservation Plan, March 22, 1996:4-528).” Therefore, a discussion of the National Historic Preservation Act is included in the Appendix. A user’s guide to the Section 106 regulatory process (the main process for identifying, evaluating and protecting cultural resource properties under the NHPA) will be substituted for the federal laws and regulations (16 USC Section 470 and 36 CFR

800).

Proposed Protective Mechanism for Sensitive Sites

A method of partially protecting sites that are unknown, or are too sensitive to be revealed, is through development of predictive models. The use of predictive models in archaeology is well known. Less well known, or developed, is the use of predictive models for determination of probable locations of traditional cultural properties and current use areas.

A predictive model for these kinds of cultural resources would be dependent on what elements contribute to making the area a special place, elements the Lummi consider “deep culture” which refers to “the roots of belief—the orientations of value—that determine how an individual, or a group, gives meaning to their world” (Lummi Nation Business Council White Paper: “Management Concept: Cultural Resources”). Fortunately, for the planning area, the Lummi Nation has identified four values that are inherent to and contribute to understanding the concept of “the sacred.” The management concept states, in part, “These values, in turn, assist in identifying how to manage cultural use sites, areas, and resources, and how to evaluate the impacts of disturbance as well as threshold change. The values are identified as Purity, Privacy, Isolation and Permanency. The following definitions are excerpted from the Lummi Nation’s “Management Concept: Cultural Resources”:

Purity—Those sites which are most pure are undisturbed by human activity. They are pure because the original forces and of creation, and the power of the Creator, is most evident in the natural system. In areas, which are pure, humankind is subject to the primary forces of nature untouched by human control. This quality of wildness brings the individual closest to the Spirit and provides meaningful access to the experience of the sacred. Activities such as tree harvesting, road and fence construction, hydroelectric projects, and chemical spraying disturb or destroy the purity of the site and deny the individual or the group access to the experience of the sacred.

Privacy—Privacy refers to the relationship of the individual, or group, to the presence of outsiders. In order to conduct certain ceremonies in a traditional manner, they must be assured these practices and activities will not be observed by outsiders. Such ceremonies are private in nature and embody the private knowledge of the group. In certain cases the presence of outsiders will not only impair the ceremony but may result in illness among individuals taking part in the activity. The privacy of the site is disturbed or destroyed, by activities which promote the use of the site or area by outsiders or by those activities which make the site more visible. Activities such as timber harvesting, and road or trail construction can disturb or destroy the privacy of the site.

Isolation—The ability to be isolated from everyday life is another important part of the experience of the sacred. In order to have access to the Spirit in nature, it is important to be isolated from visual or auditory evidence of development or other secularized activities. The individual or the group must be sealed off from evidence of human intervention in order to experience the full state of the sacred. Activities such as timber harvesting, road construction, and hydroelectric development have an especially adverse impact on the value of isolation.

Permanency—Many of the traditional, ceremonial practices require the certain knowledge that use-sites and areas will not be disturbed in the future. One example is the use of the forest for depositing traditional material. This material is “put away” with the assumption that the site will not be altered or disturbed by humankind. In certain instances, disturbance of the site can lead to sickness in the affected family. In addition, traditional sanctions often prohibit retrieving and relocating these objects once they are placed in the forest. Activities which have a direct impact on the permanency of a site include timber harvesting, road construction, or hydroelectric development.

Interrelationship of Values—It is most important to understand that the meaning of any one of these values

exists in relation to each of the others. The value of purity, for example, is only artificially, and for the sake of convenience, separated from each of the other three primary values. As a consequence, the diminishment of any one of these values impacts each of the others and has a direct, as well as cumulative, effect on the use-site, area, or resource. It is of critical importance to regard these as interrelated and interactive—rather than as discrete and independent—values.

Although each of these values is inextricably entwined, the cultural resources types have different requirements to remain functional. For example, for ceremonial bathing the values of purity, privacy, and isolation are extremely important. The water in the bathing area must be clean and free from upstream human effects. Privacy and Isolation are vital since cleansing is impeded by the presence of other humans or human activity (similar in reason to ancient Biblical prophets who went in the wilderness). Permanency is vital to ensure that ceremonial practice sites are undisturbed and that they are protected for the long term from activities such as timber harvest and road construction, but natural meanders in hydrologic systems can cause changes in location through time.

The attributes (physical characteristics) of the landscape that contribute to maintaining the important values can be listed for each cultural resource type. For example, privacy and isolation are maintained or enhanced if the spot is more than ½ mile from road or trail and there is no line of sight intrusion. Clean water is maintained or enhanced by flowing through a basin that maintains 80 percent old growth or mature second growth. Favored places to bathe are pools and within the channel migration zone. These are just examples, and are not intended to adequately express distances or areas.

Once the attributes are listed, GIS queries can generate high probability areas for the occurrence of that property type. Management plans could then be developed for each property type. These management plans could be generated for the entire region and not be specific to the landscape. The plans themselves, however, would require major input from Tribes.

Often, the spiritual dimensions of a particular place cannot be transferred to another site. The attendant spirit inhabits or informs a particular place. When that place is disturbed the spirit is no longer present. For example, the Church of the sepulcher in Jerusalem is one of the most sacred and holy places in the Christian faith. The church could be dismantled and rebuilt at another spot, however it would lose its connection to the divine. A church built at another spot would just be another church.

Other Considerations

The physical site of a cultural resource includes the actual physical space occupied by the resource and the functioning systems necessary to maintain attributes of permanency, privacy purity, and isolation for traditional cultural properties and current use sites.

Mechanisms for protecting access should be addressed. Herbicide and pesticide use, and species diversity issues can also be thought of as access issues.

Under both federal and state law, information pertaining to cultural resources is confidential. This includes archaeological site and burial locations, oral interview information, traditional cultural properties and resource use areas, religious practices, songs, stories/oral literature, traditional knowledge, and the identities of individuals who wish to remain anonymous and who are protected from release by exemption under the

Freedom of Information Act (See Section 304 of the National Historic Preservation Act, the Archaeological Resources Protection Act 470hh(a), and RCW 42.17.310(1)(k)).

The 1987 Timber/Fish/Wildlife agreement on Archaeological and Cultural Resources states: “Archaeological resources are sites of historic importance which contain artifacts of aboriginal or historic use. Cultural resources include both religious and social uses. Generally these uses are ongoing rather than historic.” The agreement recognizes that access problems and site conditions may have disrupted traditional cultural activities, but that these activities “may be re-established.” The agreement commits DNR to updating and maintaining a system to identify recorded sites, mentions that the tribes “at their option” may provide general location information on archaeological and cultural resource sites, and requires OAHP involvement in any forest practice conflicts between land owners and tribes concerning cultural resources.

Conclusions and Recommendations

The authors of this report have identified and developed the attributes of a model that if applied to the landscape would result in a formal model. The attributes are presented as a matrix with information on site types, characteristics, and protection mechanisms (Table 5). It provides information on cultural resource sites in the Lake Whatcom planning unit, those of general interest as well as those identified as being of special concern to the Lummi Nation. The matrix includes the type of sites, general size, whether the site is fixed in space or if it can move over time, a physical description of the site or use area, the number of sites known in the planning area, whether the sites are found on private or state land, special protection needs for the resource type, and comments and recommendations.

Other recommendations include:

- Prior to issuing permits for collection of Special Forest Products, consult with Tribes in High Probability Areas.
- Develop a management plan for each property type.
- Provide species management access to species in each watershed.
- Trail construction—consultation with tribes

Table 5, on the following pages, contains the Lake Whatcom Watershed Cultural Resource Assessment Matrix for types, characteristics and protection needs.

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs—Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
Ritual Bathing H/CU	Site & watershed above site	Fixed within reach of a stream that may meander	Type 1 Fresh/Saltwater with pools at least 4' deep and that are isolated with no human activity in the area. Type 2-4 or larger streams with pools at least 4' deep. Type 4 streams 2-3' in depth with waterfall Ponds > ¼ acre Channel Migration Zones	8 sites identified, others may be present	P, S	Purity- stable streambed w/ cool, clear water. No human activities in watershed above bathing sites that would impact water quality or purity, privacy, and isolation. Privacy- visual screening from other human activity; no entry (300' buffer), or whatever is necessary to ensure line of sight privacy. Isolation- at least ¼ mile from active roads (300' buffer) or whatever is necessary to ensure isolation. Permanence- long-term site protection needed.	Location can change as a result of natural processes such as stream meanders-should not change due to human activities. Each location may have a specific local "spirit." Water quality & quantity, and sediment buildup issues Some families and individuals have bathing areas that they will not divulge to tribe or any outside entity. Buffer needs to be evaluated on a site-specific basis to ensure visual screening.
Archaeological Sites—H	< 25 acres	Fixed	Recorded: 45WH88 Petroglyph Known,	Unknown	P, S	RCW 27.53--Archaeological Sites and Resources	45WH88 is the site number assigned by Office of Archaeology and Historic Preservation.

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs— Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/ Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
			Not Recorded: T 37N, R 4E Sections 15, 17, 18, 19, 20 and 26 Unknown			Protection plans based specific to each site based on proposed activities and unique characteristics.	Identify and record sites in compliance with DNR policy PO06-001.
Culturally Modified Trees (CMTs): <u>Known</u> H/CU <u>Possible</u> H/CU	320 acres 5-80 acres	Fixed	T 37N, R 4E Section 17 Refer to <i>Lake Whatcom Primary Species with Highest Basal Area from FRIS Data map for Western Red Cedar</i>	1 Unknown	S P, S	Privacy- visual screening from other human activity; no entry 100' buffer) or whatever is necessary to ensure line of sight privacy. Isolation- at least 200' from active roads and from slope break, or whatever is necessary to ensure isolation. Permanence- Buffer for windthrows and sunscald 200" around groves. RCW 27.53 Archaeological Sites and Resources Protection plans based specific to	Can include historic trees. For example, in Section 18, T 37N, R 4E, is a stump with springboard notches w/1895 date carved into it. A hatchet is also present. Record sites with OAHP and develop MOU (Agreement with Gifford Pinchot is model). See comments under Hunting and Gathering.

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs— Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/ Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
						each site based on proposed activities and unique characteristics. Any harvest activities should fall and yard away from buffers.	
Spirit Quest Sites and Traditional Song Places H/CU	1,280 acres	Fixed	T 37N, R 4E Sections 12, 17, 18, 19, 20	6 sites	P, S	Privacy- visual screening from other human activity; no entry 100' buffer or whatever is necessary to ensure line of sight privacy. Isolation- at least ¼ mile from active roads and a 100' no entry buffer or whatever is necessary to ensure isolation.	Any harvest activities fall and yard away from buffers. No entry zone
Traditional Named Places H		Fixed	Scattered throughout planning area.	7 areas	P, S	Site-specific consultation required.	
Hunting and Gathering Sites (H&G) H/CU	Entire Planning Area	Fixed within Area 417 for Lummi Nation	Entire Planning Area	Unknown	P, S	Access needs No chemicals, herbicides, pesticides application without consultation (consult	Access Issues include physical access, access to variety of necessary species, and access to non-contaminated species. Provide access consistent with Article 5 of the Point Elliot Treaty.

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs— Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/ Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
		For Nooksack Within those areas can move in response to natural processes.				w/tribe on current use areas).	Implement Forest Plan Special Lands Policies 13, 14. Develop access MOU similar to that developed by Mt. Rainier NPS and Nisqually Tribe and Draft Lummi Nation MOA with Whatcom County and National Park Service. Investigate and evaluate.
Ceremonial Flora/ Medicine Sites H/CU	See H&G above	See H&G above	Refer to <i>Lake Whatcom Landscape Plan Snags and Down Woody Debris</i> map and Wetland and Riparian Zones section.	Unknown	P, S	See H&G above	See H&G above Downed woody debris source of paint. See comments under Hunting and Gathering above.
Gear Storage Sites H/CU	5 acres (includes 1.58	Fixed	<i>T 37N R 4 E Section 8 T 38N, R</i>	Unknown	P, S	Privacy- visual screening from other human activity; no entry within 300'	Snags evidence of Old Growth Forest and also used for gear storage.

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs—Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
	buffer)		<p>4E Sections 20, 23 and 35</p> <p>Refer to <i>Lake Whatcom Primary Species with Highest basal Area from FRIS Data for Western Red Cedar and Lake Whatcom Landscape Plan Snags and Down Woody Debris map.</i></p>			<p>buffer or whatever is necessary to ensure privacy. Isolation- at least 300' from active roads or whatever is necessary to ensure isolation. Permanence- Long-term protection, buffer for windthrow of 50'.</p>	For harvest activities fall and yard away from buffer.
Caves H	5 acres (includes buffer)	Fixed	T 37N, R 4E Section 8	1	S	<p>Privacy- visual screening from other human activity; No entry within 300' buffer radius. Isolation- at least ¼ mile from active roads (250' buffer from cave mouth). Permanence- Long-</p>	<p>Coincident w/Petroglyph; coincident w/village sites—see also archaeological sites</p> <p>Other cave sites may occur in planning area.</p>

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs— Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/ Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
						term protection Implement HCP Section IV-F, pp. 153-154)	
Burials— divisible into cairns and tree burials H	Unkn own	Fixed	Known burial sites in T 37N, R 4E Sections 15, 17, 18, 19, and 20	Unknown,	P, S	RCW 27.44 Indian Graves and Records RCW 27.53 Archaeological Sites and Resources	Known burial in Blue Canyon area.
Trails H/CU	Trail	Fixed	Unnamed trails, T 38N, R 4E Sections 20, 21, 22, 27, 28, 29. T 37N, R 4E, Sections 14, 15 (Blue Canyon)	3	P, S	RCW 27.53 Archaeological Sites and Resources Protection plans based specific to each site based on proposed activities and unique characteristics	Protection plans for trails usually the same as for limited harvest along riparian zones—i.e. limit number of crossings etc.
Petroglyphs H	Boul der Rock Face	Fixed	45WH88 T 37N, R 4E Section 20	4 historic 3 current use 1 recorded --45WH88 Austin Creek 1 desecrated .	P, S	RCW 27.44 Indian Graves and Records RCW 27.53 Archaeological Sites and Resources Long-term protection needed. Protection plans based specific to	Recorded petroglyph is coincident with cave — see also archaeological sites. Petroglyphs often coincident with village sites 45WH88 is site number assigned by Office of Archaeology and Historic

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs— Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/ Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
						each site based on proposed activities and unique characteristics	Preservation.
Old Growth H/CU			See <i>Old Growth</i> section in Lake Whatcom Landscape Plan		P, S	Implement Large Structurally Unique Trees and Snags Recommendations of the HCP F- IV pp. 156-157.	Implement Forest Plan Special Lands Policies 13, 14 and Special Forest Products Policy No. 8
Wildlife H/CU			See <i>Old Growth</i> and WDFW sections in Lake Whatcom Landscape Plan		P, S		Provide access consistent with Article 5 of the Point Elliot Treaty.
Fish H/CU			See <i>Old Growth</i> and WDFW sections in Lake Whatcom Landscape Plan		P, S		Provide access consistent with Article 5 of the Point Elliot Treaty.

TRIBAL CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs— Distance requirements consistent with the Lummi Nation Cultural Management Plan Note—Federal Laws may apply including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/ Recommendations See Purity, Privacy, Isolation and Permanence discussion in text
Totems/ Canoes H	20 acres	Fixed	T 38 N, R 4E Section 26.	1	P	RCW 27.53 Archaeological Sites and Resources No entry	Investigate and evaluate. Seek permission of landowner to record site.

HISTORIC CULTURAL RESOURCES							
Type of Use Historic (H) or Current Use (CU)	Size of Site(s)	Fixed or Move Over Time	Physical Description of site or use area	Number of known sites in planning area (only Lummi Nation data has been used).	Private (P) or State (S) Land	Protection Needs Note—Federal Laws may apply to these cultural resources, including National Historic Preservation Act and Historic and Archaeological Data Preservation Act, etc. Relevant State Laws are found within the matrix.	Comments/ Recommendations
Historical Archaeolo gical Sites— H	< 25 acres	Fixed	Varied	Unknown	P S	RCW 27.53 Archaeological Sites and Resources Protection plans based specific to each site based on proposed activities	Identify and record sites in compliance with DNR policy PO06-001 Bed of the Bellingham Bay and Eastern RR recorded at OAHP

						and unique characteristics	Physical remains of historic activities. For example, 34 Homesteads recorded on GLO notes may have left archaeological remains
Historic Buildings/ Structures	< 5 acres	Fixed		1	P		Park Store/Town Hall
Shipwrecks	< 5 acres	Fixed	Bed of Lake Whatcom	5	S	RCW 27.53 Archaeological Sites and Resources Protection plans based specific to each site based on proposed activities and unique characteristics	State owned aquatic lands

GLOSSARY

ARTIFACT-- portable object produced by human activity

B.P.-- Before Present

CULTURALLY MODIFIED TREES (CMT)— a CMT is a tree that has been altered by native peoples as a part of their traditional use of the forest. As physical manifestations of such use these fall under the definition of “archaeological object under RCW 27.53—Archaeological Sites and Resources and are protected by that law. CMTs have been found eligible for inclusion on the National Register of Historic Places.

ETHNOGRAPHIC-- native cultures documented during and after Euroamerican contact

EUROAMERICAN-- European cultures or those primarily derived from European cultures

FEATURES-- non portable objects or relationships produced by human activity

GEAR STORAGE SITES—areas where ceremonial objects are stored.

HISTORIC ARCHAEOLOGY-- archaeology of sites of the historic period

OAHP—Office of Archaeology and Historic Preservation, state office responsible for archaeological and cultural resources.

PETROGLYPH -- symbols or designs (glyphs) pecked or scratched into rock surfaces. They are formed by using a hard rock to trace or peck shallow grooves on a rock surface. As “glyptic records,” they are protected under RCW 27.44 Indian Graves and Records.

PROTOHISTORIC-- Native American cultures and sites affected by Euroamerican influences

RITUAL BATHING AREAS— areas used in purification rituals.

SPIRIT QUEST SITES AND TRADITIONAL SONG PLACES— traditional culture participants seek and sought supernatural power and spiritual guidance in specific areas. These are known as spirit quest sites.

TRADITIONAL NAMED PLACES— areas on the landscape that were named by Native Americans. These may be descriptive, or may be the locations of legendary events.

WET SITE-- site where natural conditions prevent deterioration of normally perishable artifacts

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Appendix A

Selected Relevant Washington State Laws, Regulations and Policies

Law, Regulation or Policy	General Description
RCW 27.34 Archaeology and historic preservation	The Legislature declares it the public interest to designate, preserve, protect, enhance, and perpetuate structures, sites, districts, buildings, and objects of historic, archaeological, architectural, or cultural value.
RCW 27.44 Indian Graves and Records	Indian burial sites, cairns, glyptic markings, and historic graves located on public and private land are to be protected. Any person who knowingly removes or damages Native American cairns, graves, pictographs or petroglyphs or sells artifacts or human remains from graves is guilty of a class C felony. An Indian tribe or enrolled member can bring civil action to secure an injunction, damages, or other appropriate relief.
Chapter 27.53 RCW ARCHAEOLOGICAL SITES AND RESOURCES	Information from archaeological sites is declared a public interest. Archaeological sites and artifacts, whether previously recorded or still unrecognized, on state lands are declared property of the state. Disturbing archaeological resources without a permit from OAHP is unlawful. Archaeological site information declared exempt from public disclosure.
Title 79 RCW PUBLIC LANDS	Taking any valuable materials (which includes archaeological materials) from public lands is larceny. Holders of use authorizations or leases cannot damage valuable materials (which includes archaeological materials) unless expressly authorized by lease or contract.
Chapter 79.90 RCW AQUATIC LANDS -- IN GENERAL	Archaeological activities authorized on state owned aquatic lands.
WAC 25-46 WAC 25-48	Implements RCW 27.53
Chapter 222-16 WAC	Timber harvest, construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas on archaeological or historic sites registered with OAHP or on sites containing evidence of Native American cairns, graves, or glyptic records, as provided for in chapters 27.44 and 27.53 RCW are Class IV Specials. The department shall consult with affected Indian tribes in identifying such sites. Harvesting, road construction, site preparation or aerial application of pesticides on lands with cultural, historic, or archaeological resources are Class III Forest Practices. Cultural resources must be on or are eligible for listing on the National Register of Historic Places; or must have been identified to the department as being of interest to an affected Indian tribe. DNR must notify tribes of all applications of concern “including those involving cultural resources, identified by the tribes.” The landowner must meet with the tribes “with the objective of agreeing on a plan for protecting the archaeological or cultural value.”
<u>DNR Policy</u> <u>PO06 - 001 HISTORICAL,</u> <u>CULTURAL AND</u> <u>ARCHEOLOGICAL</u> <u>SITES</u>	All department personnel will identify potential archaeological, historic and cultural sites/resources in the course of their normal duties. Regulatory staff will assist and encourage private land owners to identify, inventory and protect cultural resource sites. Discovered resources will be recorded and inventoried in coordination with the Office of Archaeological and Historic Preservation (OAHP) and/or the appropriate Tribes so that they can be protected to the full extent allowable by law. The department will establish a program to identify and inventory historic and archaeological sites and protect them at a level which, at a minimum, meets regulatory requirements.

<p>DNR Policy <u>PO14 - 024</u> <u>IDENTIFYING</u> <u>HISTORIC SITES</u></p>	<p>The department will establish a program to identify and inventory historic and archaeological sites and protect them at a level which, at a minimum, meets regulatory requirements.</p>
<p>1987 Timber/Fish/Wildlife Agreement</p>	<p>DNR will update and maintain a system with information on archaeological and cultural resources. The tribes may provide DNR with general location information for those resources. Forest practice applications will be cross checked against the system and landowners/operators and the affected tribe(s) will be immediately notified. Forest practice activities which may affect cultural resources will be considered a Class III special and will have a 30 day review period. The landowner is required to meet with the affected tribe(s) “with the objective of developing a plan for protecting the archeological/cultural values.” OAHP may review the plan at the request of the tribe(s). After this process “DNR will issue the permit with any necessary conditions.” If no plan is agreed to, OAHP “will be involved to insure compliance with state regulations.” DNR decisions may be appealed.</p>

Treaty of Point Elliott, 1855

Articles of agreement and convention made and concluded at Muckl-te-oh, or Point Elliott, in the territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, head-men and delegates of the Dwamish, Suquamish, Sk-kahl-mish, Sam-ahmish, Smalh-kamish, Skope-ahmish, St-kah-mish, Snoqualmoo, Skai-wha-mish, N'Quentl-ma-mish, Sk-tah-le-jum, Stoluck-wha-mish, Sno-ho-mish, Skagit, Kik-i-allus, Swin-a-mish, Squin-ah-mish, Sah-ku-mehu, Noo-wha-ha, Nook-wa-chah-mish, Mee-see-qua-guilch, Cho-bah-ah-bish, and othe allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

ARTICLE 1.

The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at a point on the eastern side of Admiralty Inlet, known as Point Pully, about midway between Commencement and Elliott Bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence northwardly, following the summit of said range to the 49th parallel of north latitude; thence west, along said parallel to the middle of the Gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the Straits of Fuca, and crossing the same through the middle of Admiralty Inlet to Suquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's Canal and Admiralty Inlet to the portage known as Wilkes' Portage; thence northeastwardly, and following the line of lands heretofore ceded as aforesaid to Point Southworth, on the western side of Admiralty Inlet, and thence around the foot of Vashon's Island eastwardly and southeastwardly to the place of beginning, including all the islands comprised within said boundaries, and all the right, title, and interest of the said tribes and bands to any lands within the territory of the United States.

ARTICLE 2.

There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; the amount of two sections, or twelve hundred and eighty acres, on the north side Hwhomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the southeastern end of Perry's Island, called Shais-quihl, and the island called Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. All which tracts shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes or bands, and of the superintendent or agent, but, if

necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.

ARTICLE 3.

There is also reserved from out the lands hereby ceded the amount of thirty-six sections, or one township of land, on the northeastern shore of Port Gardner, and north of the mouth of Snohomish River, including Tulalip Bay and the before-mentioned Kwilt-seh-da Creek, for the purpose of establishing thereon an agricultural and industrial school, as hereinafter mentioned and agreed, and with a view of ultimately drawing thereto and settling thereon all the Indians living west of the Cascade Mountains in said Territory. Provided, however, That the President may establish the central agency and general reservation at such other point as he may deem for the benefit of the Indians.

ARTICLE 4.

The said tribes and bands agree to remove to and settle upon the said first above-mentioned reservations within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the mean time it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the pe-mission of the owner.

ARTICLE 5.

The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. Provided, however, That they shall not take shell-fish from any beds staked or cultivated by citizens.

ARTICLE 6.

In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of one hundred and fifty thousand dollars, in the following manner - - that is to say: For the first year after the ratification hereof, fifteen thousand dollars; for the next two year, twelve thousand dollars each year; for the next three years, ten thousand dollars each year; for the next four years, seven thousand five hundred dollars each years; for the next five years, six thousand dollars each year; and for the last five years, four thousand two hundred and fifty dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may, from time to time, determine at his discretion upon what beneficial objects to expend the same; and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

ARTICLE 7.

The President may hereafter, when in his opinion the interests of the Territory shall require and the welfare of the said Indians be promoted, remove them from either or all of the special reservations hereinbefore made to the said general reservation, or such other suitable place within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of such removal, or may consolidate them with other friendly tribes or bands; and he may further at his discretion cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

ARTICLE 8.

The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE 9.

The said tribes and bands acknowledge their dependence on the Government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. Should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the other Indians to the Government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on other Indians within the Territory the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE 10.

The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE 11.

The said tribes and bands agree to free all slaves now held by them and not to purchase or acquire others hereafter.

ARTICLE 12.

The said tribes and bands further agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

ARTICLE 13.

To enable the said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of fifteen thousand dollars to be laid out and expended under the direction of the President and in such manner as he shall approve.

ARTICLE 14.

The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for a period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and also to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer for the like term of twenty years to instruct the Indians in their respective occupations. And the United States finally agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

ARTICLE 15.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

Issac I. Stevens, Governor and Superintendent. (L.S.)
 Seattle, Chief of the Dwamish and Suquamish tribes, his x mark. (L. S.)
 Pat-ka-nam, Chief of the Snoqualmoo, Snohomish and other tribes, his x mark. (L.S.) Chow-its-hoot, Chief of the Lummi and other tribes, his x mark. (L. S.)
 Goliah, Chief of the Skagits and other allied tribes, his x mark. (L.S.)
 Kwallattum, or General Pierce, Sub-chief of the Skagit tribe, his x mark. (L.S.)
 S'hootst-hoot, Sub-chief of Snohomish, his x mark. (L.S.)
 Snah-talc, or Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)
 Squush-um, or The Smoke, Sub-chief of the Snoqualmoo, his x mark. (L.S.)
 See-alla-pa-han, or The Priest, Sub-chief of Sk-tah-le-jum, his x mark. (L.S.)
 He-uch-ka-nam, or George Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)
 Tse-nah-talc, or Joseph Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)
 Ns'ski-oos, or Jackson, Sub-chief of Snohomish, his x mark. (L.S.)
 Wats-ka-lah-tchie, or John Hobtsthoot, Sub-chief of Snohomish, his x mark. (L.S.)
 Smeh-mai-hu, Sub-chief of Skai-wha-mish, his x mark. (L.S.)
 Slat-eah-ka-nam, Sub-chief of Snoqualmoo, his x mark. (L.S.)
 St'hau-ai, Sub-chief of Snoqualmoo, his x mark. (L.S.)
 Lugs-ken, Sub-chief of Skai-wha-mish, his x mark. (L.S.)
 S'heht-soolt, or Peter, Sub-chief of Snohomish, his x mark. (L.S.)
 Do-queh-oo-satl, Snoqualmoo tribe, his x mark. (L.S.)
 John Kanam, Snoqualmoo sub-chief, his x mark. (L.S.)
 Klemsh-ka-nam, Snoqualmoo, his x mark. (L.S.)
 Ts'huahntl, Dwa-mish sub-chief, his x mark. (L.S.)
 Kwuss-ka-nam, or George Snatelum, Sen., Skagit tribe, his x mark. (L.S.)
 Hel-mits, or George Snatelum, Skagit sub-chief, his x mark. (L.S.)
 S'kwai-kwi, Skagit tribe, sub-chief, his x mark. (L.S.)
 Seh-lek-qu, Sub-chief Lummi tribe, his x mark. (L.S.)
 S'h'-chek-oos, or General Washington, Sub-chief of Lummi tribe, his x mark. (L.S.)
 Whai-lan-hu, or Davy Crockett, Sub-chief of Lummi tribe, his x mark. (L.S.)
 She-ah-delt-hu, Sub-chief of Lummi tribe, his x mark. (L.S.)
 Kwult-seh, Sub-chief of Lummi tribe, his x mark. (L.S.)
 Kwull-et-hu, Lummi tribe, his x mark. (L.S.)
 Kleh-kent-soot, Skagit tribe, his x mark. (L.S.)
 Sohn-heh-ovs, Skagit tribe, his x mark. (L.S.)
 S'deh-ap-kan, or General Warren, Skagit tribe, his x mark. (L.S.)
 Chul-whil-tan, Sub-chief of Suquamish tribe, his x mark. (L.S.)
 Ske-eh-tum, Skagit tribe, his x mark. (L.S.)
 Patchkanam, or Dome, Skagit tribe, his x mark. (L.S.)
 Sats-Kanam, Squin-ah-nush tribe, his x mark. (L.S.)
 Sd-zo-mahtl, Kik-ial-lus band, his x mark. (L.S.)
 Dahtl-de-min, Sub-chief of Sah-ku-meh-hu, his x mark. (L.S.)
 Sd'zek-du-num, Me-sek-wi-guilse sub-chief, his x mark. (L.S.)
 Now-a-chais, Sub-chief of Dwamish, his x mark. (L.S.)
 Mis-lo-tche, or Wah-hehl-tchoo, Sub-chief of Suquamish, his x mark. (L.S.)
 Sloo-noksh-tan, or Jim, Suquamish tribe, his x mark. (L.S.)
 Moo-whah-lad-hu, or Jack, Suquamish tribe, his x mark. (L.S.)
 Too-leh-plan, Suquamish tribe, his x mark. (L.S.)
 Ha-seh-doo-an, or Keo-kuck, Dwamish tribe, his x mark. (L.S.)
 Hoovilt-meh-tum, Sub-chief of Suquamish, his x mark. (L.S.)
 We-ai-pah, Skaiwhamish tribe, his x mark. (L.S.)
 S'ah-an-hu, or Hallam, Snohomish tribe, his x mark. (L.S.)
 She-hope, or General Pierce, Skagit tribe, his x mark. (L.S.)
 Hwn-lah-lakq, or Thomas Jefferson, Lummi tribe, his x mark. (L.S.)

Cht-simpt, Lummi tribe, his x mark. (L.S.)
 Tse-sum-ten, Lummi tribe, his x mark. (L.S.)
 Klt-hahl-ten, Lummi tribe, his x mark. (L.S.)
 Kut-ta-kanam, or John, Lummi tribe, his x mark. (L.S.)
 Ch-lah-ben, Noo-qua-cha-mish band, his x mark. (L.S.)
 Noo-heh-oos, Snoqualmoo tribe, his x mark. (L.S.)
 Hweh-uk, Snoqualmoo tribe, his x mark. (L.S.)
 Peh-nus, Skai-whamish tribe, his x mark. (L.S.)
 Yim-ka-dam, Snoqualmoo tribe, his x mark. (L.S.)
 Twooi-as-kut, Skaiwhamish tribe, his x mark. (L.S.)
 Luch-al-kanam, Snoqualmoo tribe, his x mark. (L.S.)
 S'hoot-kanam, Snoqualmoo tribe, his x mark. (L.S.)
 Sme-a-kanam, Snoqualmoo tribe, his x mark. (L.S.)
 Sad-zis-keh, Snoqualmoo, his x mark. (L.S.)
 Heh-mahl, Skaiwhamish band, his x mark. (L.S.)
 Charley, Skagit tribe, his x mark. (L.S.)
 Sampson, Skagit tribe, his x mark. (L.S.)
 John Taylor, Snohomish tribe, his x mark. (L.S.)
 Hatch-kwentum, Skagit tribe, his x mark. (L.S.)
 Yo-i-kum, Skagit tribe, his x mark. (L.S.)
 T'kwa-ma-han, Skagit tribe, his x mark. (L.S.)
 Sto-dum-kan, Swinamish band, his x mark. (L.S.)
 Be-lole, Swinamish band, his x mark. (L.S.)
 D'zo-lole-gwam-hu, Skagit tribe, his x mark. (L.S.)
 Steh-shail, William, Skaiwhamish band, his x mark. (L.S.)
 Kel-kahl-tsoot, Swinamish tribe, his x mark. (L.S.)
 Pat-sen, Skagit tribe, his x mark. (L.S.)
 Pat-teh-us, Noo-wha-ah sub-chief, his x mark. (L.S.)
 S'hoolk-ka-nam, Lummi sub-chief, his x mark. (L.S.)
 Ch-lok-suts, Lummi sub-chief, his x mark. (L.S.)
 Executed in the presence of us - -
 M. T. Simmons, Indian agent.
 C. H. Mason, Secretary of Washington Territory.
 Benj. F. Shaw, Interpreter.
 Chas. M. Hitchcock.
 H. a. Goldsborough.
 George Gibbs.
 John H. Scranton.
 Henry D. Cock.
 S. S. Ford, jr.
 Orrington Cushman.
 Ellis Barnes.
 R. S. Bailey.
 S. M. Collins.
 Lafayette Balch.
 E. S. Fowler.
 J. H. Hall.
 Rob't Davis.
 S. Doc. 319, 58-2, vol 2 43
 Ratified Mar. 8, 1859. Proclaimed Apr. 11, 1859.